



COACHELLA VALLEY MOUNTAINS CONSERVANCY

Regular Meeting – November 3, 2008, 3:00 PM

73-710 Fred Waring Drive, Conference Room 115

Palm Desert, CA 92260

Tele-conference location:

State of California

Resources Agency

1416 Ninth St., Room 1305

Sacramento, CA 95814

AGENDA

1.0 Call to Order & Introductions

2.0 Approval of Minutes of September 8, 2008 meeting

3.0 Public Comments on Items Not on the Agenda

At this time any member of the public may address the Governing Board on any item not on the agenda. The Board cannot take action on an item not on the agenda, but it can place it on the agenda for a future meeting. For items on the agenda, there will be an opportunity to speak when that item is heard. The Chair may limit the time for each speaker. Any written material may be submitted to the person taking minutes.

4.0 Information Items

4.1 Update on Attorney General Services. (See Attachment 1.)

4.2 Copy of memo to Coachella Valley Conservation Commission (CVCC).
(See Attachment 2.)

4.3 CVCC policy regarding its functioning as advisory committee to the Conservancy on actions related to the implementation of the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan. (See Attachment 3.)

4.4 Public Education – Conservancy Brochure

5.0 Closed Session – No matter is scheduled

Pursuant to Government Code sections 11126 (a)(1), 11126 (e)(1) and 11126.3(a) the Board may hold a closed session to discuss and take possible action on personnel matters and or receive advice of counsel on pending or potential litigation. In addition, pursuant to Government Code section 11126 (c) 7 (A) the Board may meet in closed session with its negotiator prior to the purchase or sale of real property by or for the state body to give instructions to its negotiator regarding the price and terms of payment for the purchase or sale. Confidential memoranda related to these issues may be considered during such closed session discussions.

6.0 Consent Calendar

These items may be approved in one action by the Governing Board unless a Board Member wishes to remove an item from the consent calendar for discussion prior to taking action. Also, if there is any member of the public who wishes to address the Governing

Board before action is taken; testimony from the public should be taken prior to a consent vote.

- 6.1 Resolution 2008-20 approving a Local Assistance Grant to the Friends of the Desert Mountains to assist with the acquisition of 30 acres in the Southern Santa Rosa alluvial fans. [See Attachment 4.] (NOTE: Any member of the public may address the Governing Board on this item.)
- 6.2 Resolution 2008-21 approving a Local Assistance Grant to the Friends of the Desert Mountains to assist with the acquisition of 35 acres in the area between the Indio Hills and Joshua Tree National Park. [See Attachment 5.] (NOTE: Any member of the public may address the Governing Board on this item.)
- 6.3 Resolution 2008-22 approving an extension of the Local Assistance Grant to the Friends of the Desert Mountains to assist with the acquisition of land in the Thermal Canyon area linking the Mecca Hills Wilderness and Joshua Tree National Park. [See Attachment 6.] (NOTE: Any member of the public may address the Governing Board on this item.)
- 6.4 Resolution 2008-23 approving a Local Assistance Grant to the Friends of the Desert Mountains to assist with the acquisition of 25 acres in the Stubbe Canyon wash area between the San Jacinto Mountains and the San Bernardino Mountains. [See Attachment 7.] (NOTE: Any member of the public may address the Governing Board on this item.)

7.0 Adoption of Meeting schedule for 2009

[See Attachment 8.]

8.0 Reports

- 8.1 Written reports from staff [See Attachment 9.]
- 8.2 Board Member comments and reports from Conservancy member agencies. This is an opportunity for any of the Governing Board Members to present a report on matters of interest regarding the agency he or she represents.

9.0 Adjourn to the January 2009 meeting. *(The date will be determined at the November meeting.)*

This agenda is available on our website at <http://www.cvmc.ca.gov>. Anyone with questions about any item on the agenda may contact the Conservancy at 73-710 Fred Waring Drive, Suite 205, Palm Desert, CA 92260. The phone number is (760) 776-5026.

ATTACHMENT 1 – November 3, 2008

Agenda Item 4.1 Update on Attorney General Services

At the September meeting, staff informed the Governing Board of the letter from the Department of Justice (DOJ) advising that because of its budget problems it would be necessary effective September 1, 2008, to bill for all Attorney General (AG) services. Staff also informed the Governing Board of the Executive Director's response informing DOJ that because of the Conservancy's budget limitations, all AG services would have to be discontinued except for:

- (1) emergency situations if available funds can be identified in the budget for such services;
and
- (2) services related to a specific capital outlay project which can be billed to the capital outlay budget rather than the support budget. The Executive Director requested a letter from DOJ advising that AG services related to a specific capital outlay project may be billed against capital outlay funds

Since the September meeting, the Executive Director has received the requested letter from DOJ confirming that AG services related to a specific capital outlay project may be billed against capital outlay funds. A copy of that letter appears on the following pages. As a result, when such issues arise, we will utilize the services of the AG and bill it to our capital outlay budget.

EDMUND G. BROWN JR.
Attorney General

State of California
DEPARTMENT OF JUSTICE



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September 9, 2008

Bill Havert
Executive Director
Coachella Valley Mountains Conservancy
73-710 Fred Waring Dr., Suite 205
Palm Desert, CA 92260

RE: Conservancy Use of Bond Funds to Pay for Attorney General Legal Services

Dear Mr. Havert:

We are in receipt of your letter dated August 6, 2008, seeking our informal advice as to the permissible uses of bond proceeds to pay for legal services which this office provides to the Coachella Valley Mountains Conservancy (Conservancy). By this letter, we are responding to your request for advice regarding the use of Proposition 84 funds for legal advice related to capital asset projects.

As you know, this office takes seriously its obligation to ensure that state bond funds are spent in an appropriate manner. The California Constitution mandates that bond proceeds may be applied only to the specific objects specified in the bond act.

Proposition 84 authorizes California to sell general obligation bonds to promote natural resource protection, including the purchase and protection of natural areas. It specifically allocates \$36 million of the bond proceeds to the Conservancy for the protection and restoration of rivers, lakes and streams, their watersheds, and associated land, water and other natural resources. (Pub. Resources Code, § 75050, subd. (h).) The Legislature must appropriate the funds so allocated before they are available to the Conservancy for expenditure. (Pub. Resources Code, § 75009.) Proposition 84 also provides that a certain percentage (not to exceed 5%) of proceeds allocated to a program, such as the Conservancy, under the bond act may be spent for costs of program administration. (Pub. Resources Code, § 75070.5.) Proposition 84 also incorporates by reference the General Obligation Bond Law, Government Code sections 16720, *et seq.* (Pub. Resources Code, § 75081.) The General Obligation Bond Law establishes the rules applicable to all general obligation bonds, including the permissible use of bond proceeds for specified administrative costs including legal expenses.

The General Obligation Bond Law provides that bond proceeds may be used to pay for the construction or acquisition of capital assets, as defined in Government Code section 16727, subdivision (a). Costs of construction or acquisition specifically include administrative costs, such as legal expenses, that are "incidentally but directly related to the construction or acquisition" of the capital asset. (Gov. Code, § 16727, subd. (a).) Government Code section 16727, subdivision (d) also permits bond proceeds to be expended to pay for the costs of a state agency with responsibility for administering the bond program, including operating expenses and equipment and consultants' costs. Although legal expenses are not specifically identified, legal expenses would be included to the extent they are necessary and appropriate to the Conservancy's administration of the bond program.

Thus, pursuant to Government Code section 16727, subdivision (a), the Conservancy may use Proposition 84 bond proceeds, upon appropriation, to pay for legal expenses in instances where this office provides advice on specific bond-funded projects. Thus, any legal inquiry directly related to a specific bond-funded project would be covered (e.g., who can vote on a given matter, issues of environmental compliance, etc.). This would include legal fees incurred to have an assigned deputy attend a Conservancy meeting to provide legal advice about a specific project, including travel time and time spent preparing. We see no reason why the Conservancy could not charge such legal expenses to its capital outlay budget rather than to its support budget.

In addition, Public Resources Code section 75070.5 and Government Code section 16727, subdivision (d), permit the Conservancy to expend Proposition 84 bond proceeds, upon appropriation, for administrative costs of the bond program, including legal advice on a general issue of program administration (e.g., which agenda items may be discussed in closed-session, public notice requirements, etc.) that is not related to a specific bond-funded project. In any case, the total amount that could be expended for any administrative costs, including legal expenses, could not exceed the 5% limit in Public Resources Code section 75070.5.

I hope this clarifies the issues you have raised regarding the use of Proposition 84 funds for legal advice related to capital assets projects. We are available to address specific issues regarding the use of bond funds to pay our fees as those issues arise. Please let me know if I can be of further assistance.

Sincerely,



LAURIE R. PEARLMAN
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

ATTACHMENT 2 – November 3, 2008

Agenda Item 4.2 Copy of memo to Coachella Valley Conservation Commission (CVCC).

The attached is a copy of a memo the Executive Director sent to the CVCC in the Conservancy's capacity as Acquisitions Manager for the CVCC. Our intent is to present parcel specific acquisition priorities to the CVCC at its November meeting so that CVCC can initiate the acquisition process to implement the Multiple Species Habitat Conservation Plan.

Memorandum

To: CVCC

CC: John Wohlmuth, Katie Barrows, Jim Sullivan

From: Bill Havert

Date: 10/23/2008

Re: Status of Conservation Areas and Section 6 grant funding

I thought it might interest the CVCC to know about the progress that has been made in some of the Conservation Areas in recent years, principally through the acquisition program of the Coachella Valley Mountains Conservancy, and those of the Friends of the Desert Mountains, the Wildlife Conservation Board, the Center for Natural Lands Management, and the Coachella Valley Association of Governments (transportation project mitigation). In some other Conservation Areas not described below, BLM, USFS, The Wildlands Conservancy, and the Mojave Desert Land Trust have acquired lands, but less than 20% of the Conservation Objective has been completed in those areas.

<i>Conservation Area</i>	<i>Acres Required to be Conserved</i>	<i>Acres Acquired to Date or in escrow</i>	<i>% Completed</i>
Indio Hills/Joshua Tree National Park	10,530	8,772	83%
West Deception Canyon	1,063	820	77%
Whitewater Canyon	1,440	972	68%
Edom Hill	3,060	1,960	64%
Snow Creek/Windy Point	2,340	997	43%
Indio Hills Palms	2,290	1,040	46%
Santa Rosa and San Jacinto Mountains	55,890	23,521	42%
Stubbe & Cottonwood Canyons	2,430	646	27%
CVCC Acquisition Priority Areas			
Thousand Palms	8,040	2,934	36%
Willow Hole	4,920	1,983	40%
Upper Mission Creek/Big Morongo	11,037	4,180	38%
East Indio Hills	2,790	109	4%
CV Stormwater Channel and Delta	3,870	0	0%

Section 6 funding

A summary of Section 6 (Cooperative Endangered Species) grant funds may also be of interest to the CVCC. Section 6 funds are federal grants that go to the states, in California to the Wildlife Conservation Board (WCB), for acquisitions to assist threatened or endangered species. A minimum of a 25% non-federal match is required. For the following, the matching funds have largely come from WCB, with some from the Coachella Valley Mountains Conservancy (CVMC), and from the City of La Quinta for Peninsular bighorn sheep acquisitions. To date, the following Section 6 funds have come to the Coachella Valley via WCB:

\$ 5,542,000	Grants since 1999 for Coachella Valley fringe toed lizard (spent)
\$ 3,639,000	Matching funds
\$ 535,000	Grants for the arroyo toad (currently being spent in Whitewater Cyn.)
\$ 401,667	Matching funds
\$ 1,926,919	Grants since 2001 for Peninsular bighorn sheep (spent)
\$ 658,308	Matching funds
\$ 1,500,000	Current year grant for Peninsular bighorn sheep (not yet spent)
\$ 642,858	Matching funds
\$14,845,752	TOTAL TO DATE, GRANTS AND MATCHING FUNDS

For FY 2009, USFWS, CDFG, CVMC, and CVAG staff have cooperated in preparing three Section 6 grant proposals:

- A \$6 million grant for MSHCP implementation (a category for which the Coachella Valley qualifies once the Permits are issued), with a \$2,571,000 match from CVMC and WCB. This money would go toward the federal and state contribution to implementation.
- A \$1 million grant for Peninsular bighorn sheep with a \$300,000 match from CVMC and WCB.
- A \$100,000 grant for desert tortoise habitat acquisition with a \$50,000 match from CVMC.

As opportunities arise, it would clearly be well worth while for the CVCC and its member agencies to support continued and enhanced federal funding for the section 6 grant program.

ATTACHMENT 3 – November 3, 2008

Agenda Item 4.3 CVCC policy regarding its functioning as advisory committee to the Conservancy on actions related to the implementation of the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan.

The Coachella Valley Mountains Conservancy's (CVMC) original mission was to acquire mountainous lands. Subsequently, the legislation that had created the Conservancy in 1990 was later amended to add acquisition of natural community conservation lands to the CVMC's mission. That legislation also provided that:

The committee that is responsible for developing the Coachella Valley natural community conservation plan as of December 31, 1999, or any subsequent committee that is responsible for overseeing the implementation of any state-approved Coachella Valley natural community conservation plan, habitat conservation plan, or similar program, shall be the advisory committee to the conservancy in its implementation of any aspect of the plan or program. Prior to the acquisition of property or the taking of other actions in furtherance of the plan or program, the conservancy shall consult with the advisory committee. [Public Resources Code §33702(d)]

Now that the MSHCP/NCCP has been permitted, it is necessary to implement this provision. Rather than make functioning as an advisory committee a constant and complicated process, the Executive Director of CVMC proposed to CVCC that there be an annual consultation in which CVMC would provide information to CVCC on CVMC's acquisition priorities for the coming year and receive advice and input from the CVCC to take back to the CVMC Board.

In response to a request from the Conservancy, the CVCC adopted the policy on the following page at its October 9 meeting. At the November CVCC meeting, the CVMC Executive Director will present CVMC's acquisition priorities as adopted by the Governing Board at its March 2007 meeting.

COACHELLA VALLEY CONSERVATION COMMISSION POLICY: CVCC 08-04

**COACHELLA VALLEY CONSERVATION COMMISSION POLICY
REGARDING CVCC FUNCTIONING AS
ADVISORY COMMITTEE TO THE COACHELLA VALLEY MOUNTAINS CONSERVANCY
FOR NATURAL COMMUNITY CONSERVATION PLAN (NCCP) ACQUISITIONS**

The Coachella Valley Mountains Conservancy's (CVMC), a state agency, was established by legislation in 1990 to acquire mountainous lands. Effective January 1, 1997, the CVMC's governing legislation was amended to add acquisition of natural community conservation lands to the CVMC's mission. That legislation also provided that:

The committee that is responsible for developing the Coachella Valley natural community conservation plan as of December 31, 1999, or any subsequent committee that is responsible for overseeing the implementation of any state-approved Coachella Valley natural community conservation plan, habitat conservation plan, or similar program, shall be the advisory committee to the conservancy in its implementation of any aspect of the plan or program. Prior to the acquisition of property or the taking of other actions in furtherance of the plan or program, the conservancy shall consult with the advisory committee. [Public Resources Code §33702(d)]

To provide consistency with state legislation and to ensure the effective implementation of the Natural Community Conservation Plan, the Coachella Valley Conservation Commission hereby establishes the following policy:

On an annual basis, CVMC staff shall consult with the CVCC regarding the CVMC's acquisition priorities for the forthcoming year so that the CVCC may provide input to CVMC. This shall be deemed to fulfill the requirement that "Prior to the acquisition of property or the taking of other actions in furtherance of the plan or program, the conservancy shall consult with the advisory committee", pursuant to Public Resources Code section 33702(d).

Agenda Item 4.4 Public Education – Conservancy Brochure

Staff created a brochure for the Coachella Valley Mountains Conservancy. It describes the Conservancy's mission, accomplishments, goals and partnerships. The brochure also provides an overview of the rich and varied landscapes and resources the Conservancy seeks to protect. It was produced and printed by Desert Publications and is now available for distribution. Copies of the brochure are available at the Conservancy office.

ATTACHMENT 4 – November 3, 2008

Agenda Item 6.1 Resolution 2008-20 approving a Local Assistance Grant to the Friends of the Desert Mountains to assist with the acquisition of 30 acres in the Southern Santa Rosa alluvial fans.

BACKGROUND

The Friends is requesting a grant not to exceed \$212,000 for the acquisition of 30 acres at the low end of the alluvial fans of the southern Santa Rosa Mountains, in the Oasis area. [See attached map referencing Item 6.1.] This reflects the appraised value of \$210,000 plus an estimated maximum of \$2,000 in closing costs. Several years ago, the Conservancy, WCB, and BLM cooperated in buying 5,400 acres just to the west and south of this property. As this area contains the only large undisturbed area of alluvial fans in the portion of the Santa Rosa Mountains in Riverside County, it is highly desirable to conserve all of the alluvial fans in this area. The area is also just west of the shoreline of Lake Cahuilla, the huge freshwater lake that occupied most of the Imperial and Coachella Valleys sporadically over many millennia. In alternating cycles the Colorado River drained into these two valleys, creating a lake stretching from Mexico to La Quinta. The lake would persist for centuries at a time, but, each time, the river eventually shifted its course and drained into the Gulf of California, and the lake would evaporate in a matter of decades. The process would then repeat itself when the Colorado again changed course and drained into the valleys. Evidence of the lakebed and shoreline are clearly discernible in this area. The washes emanating from the canyons of the Santa Rosa Mountains contain well developed desert dry wash woodland communities with palo verde, desert willow, and other wash species. The alluvial fans support a high diversity of cactus species as well as ocotillo, and a wealth of wildflowers in high rainfall years. Burrowing owl and nighthawks are commonly sited in this area.

This is one of the Conservancy's high priority acquisition areas and the parcels are within one of the Multiple Species Habitat Conservation Plan's (MSHCP) Conservation Areas. At its September meeting, the Governing Board approved a grant to the Friends for the purchase of 20 acres in this area. That property is in escrow.

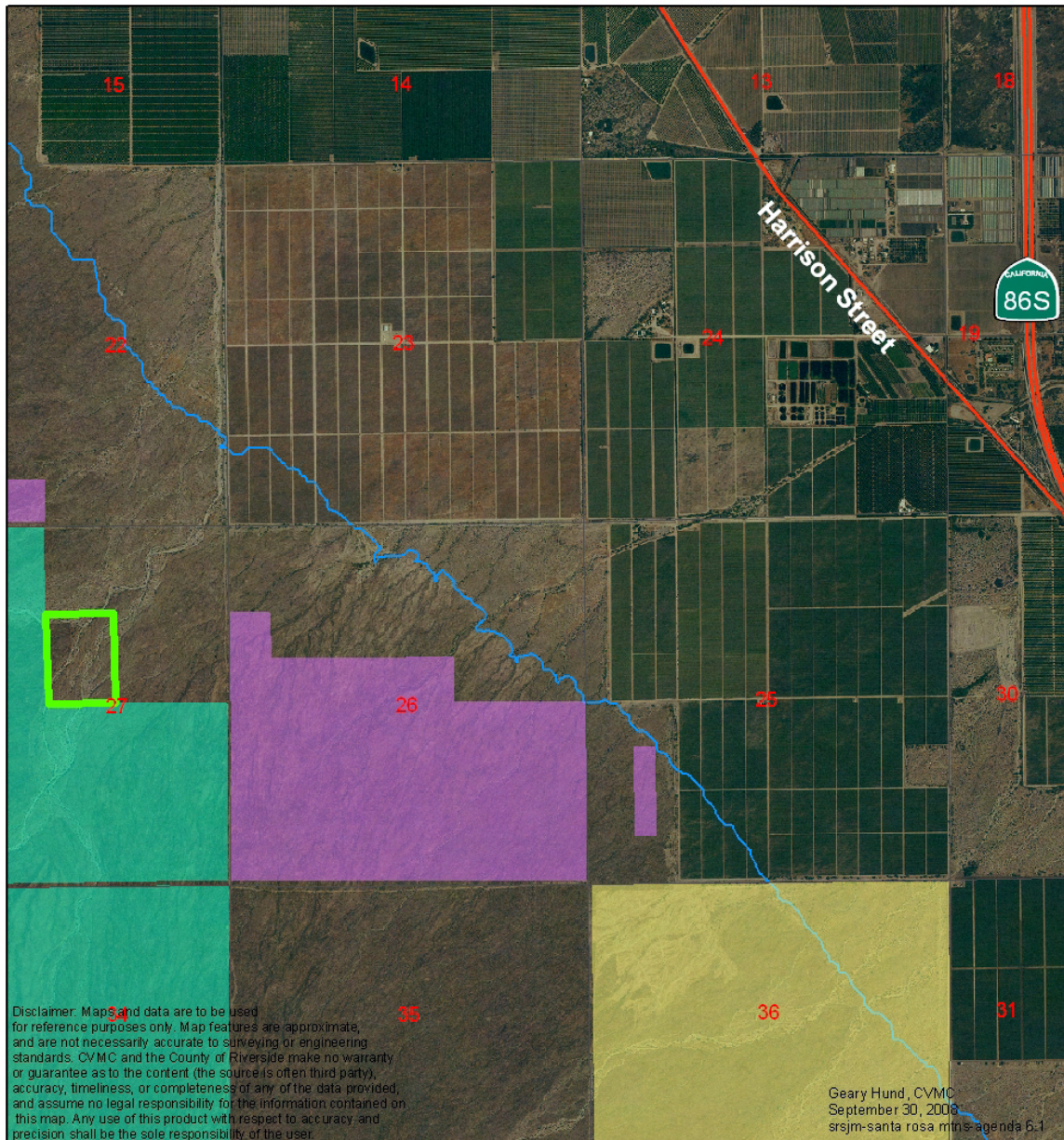
The Friends has a Purchase Agreement with the landowner of the 30 acre parcel contingent upon a grant being approved by the Conservancy.

Taking into account the Proposition 84 funds disbursed and committed to date, the Conservancy has approximately \$2,617,857 available from FY 2007-08, and has an additional \$11,514,000 in Proposition 84 funds for this current fiscal year, and a re-appropriation of \$451,856 in Proposition 40 funds and \$344,666 in Proposition 12 funds.

RECOMMENDATION

Staff recommends that the Governing Board approve Resolution 2008-20 approving a Local Assistance Grant to the Friends of the Desert Mountains to acquire 30 acres on the southern Santa Rosa Mountains alluvial fans.

Agenda Item 6.1 – Proposed Acquisition



0 0.5 1 Miles

- Proposed Acquisition
- CA Department of Fish and Game/WCB
- Bureau of Land Management
- Coachella Valley Water District



**RESOLUTION 2008-20 OF THE GOVERNING BOARD OF THE
COACHELLA VALLEY MOUNTAINS CONSERVANCY
ADOPTED IN REGULAR SESSION
NOVEMBER 3, 2008**

**APPROVING A LOCAL ASSISTANCE GRANT TO THE FRIENDS OF THE DESERT
MOUNTAINS FOR THE PURCHASE OF LAND ON THE ALLUVIAL FANS OF THE
SOUTHERN SANTA ROSA MOUNTAINS**

WHEREAS, Public Resources Code Section 33501 created the Coachella Valley Mountains Conservancy for the purpose, among other things, of acquiring and holding, in perpetual open space, mountainous lands surrounding the Coachella Valley and natural community conservation lands, upon approval of a Natural Community Conservation Plan, for the protection of natural and cultural resources and the public's enjoyment thereof; and

WHEREAS, Public Resources Code Section 33601(e) provides that the Conservancy may "in order to further the conservancy's purposes as set forth in Section 33501, award grants to cities, counties, resource conservation districts, or nonprofit organizations...."; and

WHEREAS, the Friends of the Desert Mountains ("Friends") is a nonprofit organization qualified as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954, and has as its purpose the acquisition and protection of land in the Coachella Valley area; and

WHEREAS, Assessor's Parcel Number 755-290-006 comprising approximately 30.0 acres in unincorporated Riverside County in the Oasis area contain important resource values including alluvial fans, high quality desert dry wash woodlands, and an undisturbed area near the shoreline of ancient Lake Cahuilla; and

WHEREAS, it is in furtherance of the Conservancy's purposes as established in Public Resources Code Section 33501 to protect this area; and

WHEREAS, the purchase price of the parcel is \$210,000, and closing costs are estimated at not more than \$2,000; and

WHEREAS, the Friends requests a local assistance grant to assist with the purchase of this property; and

WHEREAS, this acquisition is exempt from further CEQA review pursuant to sections 15061 (b) (3), 15313, 15316, and 15325 of the Code of Regulations, Title 14;

NOW, THEREFORE, be it resolved in regular session of the Governing Board of the Coachella Valley Mountains Conservancy that the Board approves a local assistance grant not to exceed \$212,000 to the Friends to assist with the acquisition; and

BE IT FURTHER resolved, that this grant is contingent upon the availability of a policy of title insurance to be issued to the Friends for the parcels and upon an inspection showing that there are no hazardous materials on the site; and

BE IT FURTHER resolved, that a condition of the grant is that the Friends shall enter into an Acquisition Grant Agreement with the Conservancy, which shall contain provisions requiring the following:

1. That the Friends will agree to defend, indemnify, and hold harmless the Conservancy and the State of California, its contractors, officers, directors, agents or employees against any and all claims, liability, demands, damages, debts, judgments, costs, or expenses, including reasonable attorney's fees, arising out of or in any way connected to the Grantee's actions, omissions, or other conduct relating in any way to this agreement and the Real Property, including, but not limited to, any such losses, damages, or expenses arising out of (a) loss of or damage to the Real Property, and (b) injury to or death of persons;
2. That the Friends shall execute and record a Notice of Unrecorded Grant Agreement and execute a Memorandum of Understanding with the Conservancy designed to assure that the properties acquired with the grant sum shall be protected, maintained, and managed consistent with the Conservancy's mission as defined in Public Resources Code Section 33501;
3. That the Friends must return all funds not used for the acquisition purpose described above no later than January 31, 2009, unless both parties mutually agree in writing to an extension;
4. That the Friends shall not convey title or any other interest in the properties acquired with the grant sum to any other person or entity without the express written approval of the Conservancy;
5. That upon the sale or conveyance of any interest in the property acquired with the grant sum, the Friends shall reimburse the Conservancy for the full amount of the grant sum unless the funds received from the sale or conveyance are less than the amount of the grant sum, whereupon the Friends shall provide the Conservancy with all funds obtained from the sale or conveyance less costs incurred by the Friends arising from the sale or conveyance;
6. That if the Friends ceases to exist as an organization or if the Friends materially breaches the grant agreement, title to the properties acquired with the grant sum shall automatically be conveyed to the State of California upon approval by the State Public Works Board;
7. That the Friends shall maintain accounting records of how the grant sum was spent for a period of three years and shall make such records available for inspection by the Conservancy or the Department of Finance upon request by either agency;
8. That the Conservancy shall review and approve all documents pertaining to the acquisition of the properties described above, including but not limited to title reports obtained by Friends prior to acquisition of said properties; and

9. That any unused grant funds must be returned to the Coachella Valley Mountains Conservancy, along with any accrued interest, not later than one month after the project completion date. Should interest be earned on the grant funds between their disbursement and expenditure for the purchase of the property, the interest may be applied toward the purchase price. Otherwise, any such interest must be paid to the Coachella Valley Mountains Conservancy. No revenue will be generated by Grantee from the property acquired with the grant funds.

BE IT FURTHER resolved that the Board hereby authorizes its Chairperson, or in his absence the Executive Director, to execute any and all documents necessary to effect the grant.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Coachella Valley Mountains Conservancy Governing Board, held on this 3rd day of November 2008, by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Jim Ferguson, Chairman
Coachella Valley Mountains Conservancy

ATTACHMENT 5 – November 3, 2008

Agenda Item 6.2 Resolution 2008-21 approving a Local Assistance Grant to the Friends of the Desert Mountains to assist with the acquisition of 35 acres in the area between the Indio Hills and Joshua Tree National Park.

BACKGROUND

The Friends of the Desert Mountains (Friends) has requested a grant for a not to exceed amount of \$178,000 to acquire seven 5-acre parcels in the Joshua Hills area. [See attached maps referencing Item 6.2].

The parcels are located within the larger 8,881 acre Cathton property, acquired by a multiple-entity partnership including the Friends in 2004 and funded in part by a Conservancy grant. The Cathton property was acquired to protect essential ecological processes, including sand source and sand transport for the Coachella Valley Fringe-toed Lizard Preserve; conserve a wildlife movement corridor between the Preserve and Joshua Tree National Park; conserve habitat for the threatened desert tortoise, and for other species conserved under the MSHCP, including Palm Springs pocket mouse and Le Conte's thrasher; and provide a State Park Desert Camping facility Site.

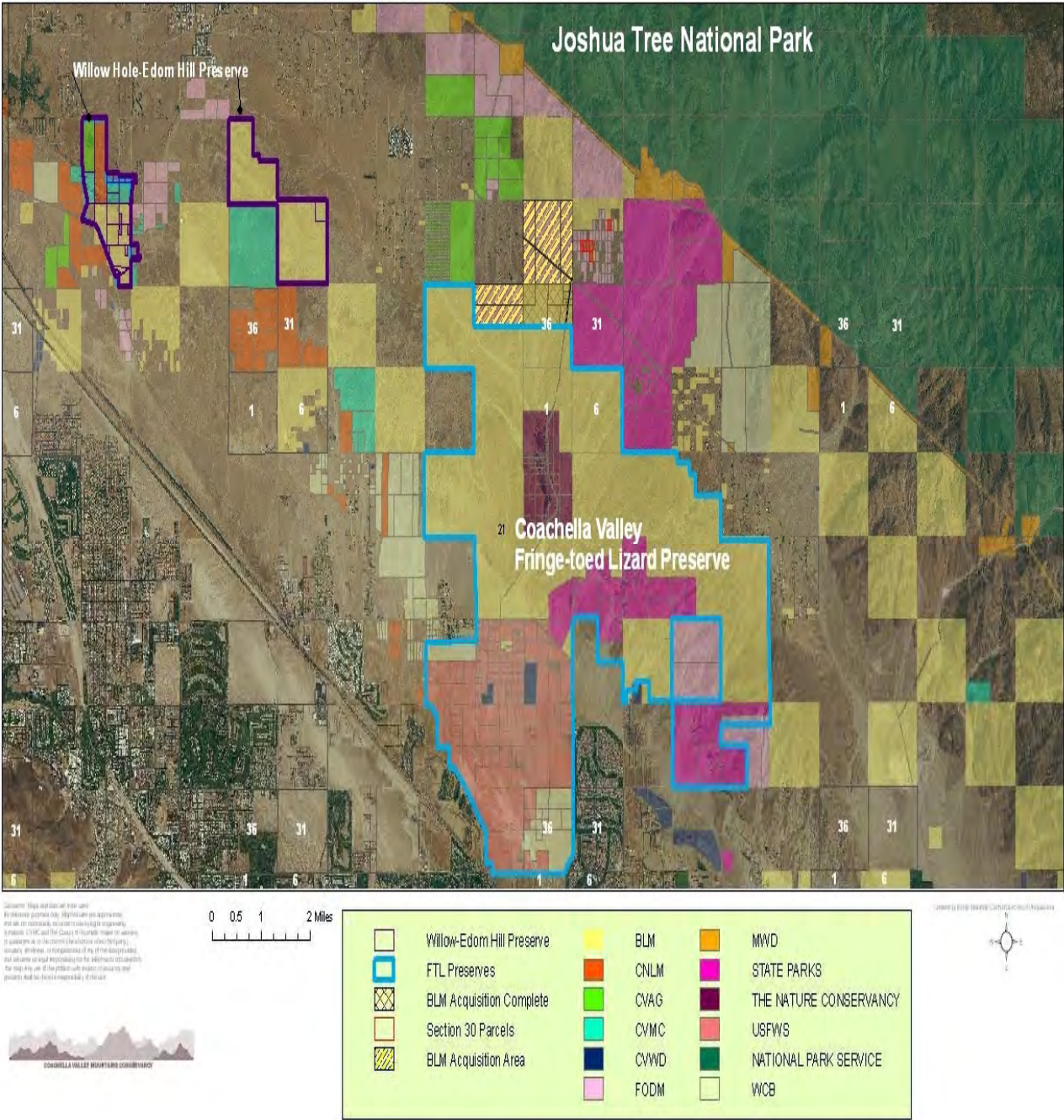
In 2007, the Governing Board approved two grants to the Friends that resulted in the purchase of 14 parcels, totaling approximately 60.0 acres in Section 30, helping to consolidate conservation ownership in this section. At its September 2008 meeting, the Conservancy approved a grant for the acquisition of a 5-acre parcel in Section 30. Since then, an additional landowner with four 5-acre parcels, and three landowners each with a 5-acre parcel have entered into contracts with the Friends, contingent upon approval of a Conservancy grant. Acquisition of the 35.0 acres continues the acquisition effort and will further help maintain the integrity of the Cathton property by protecting its visual resources, and preserving important natural resource values. As can be seen from the map, there remain additional private parcels to be acquired.

Assuming approval of the grant in the previous agenda item, the Conservancy would have \$2,405,857 available from FY 2007-08, and has an additional \$11,514,000 in Proposition 84 funds for this current fiscal year, and a re-appropriation of \$451,856 in Proposition 40 funds and \$344,666 in Proposition 12 funds.

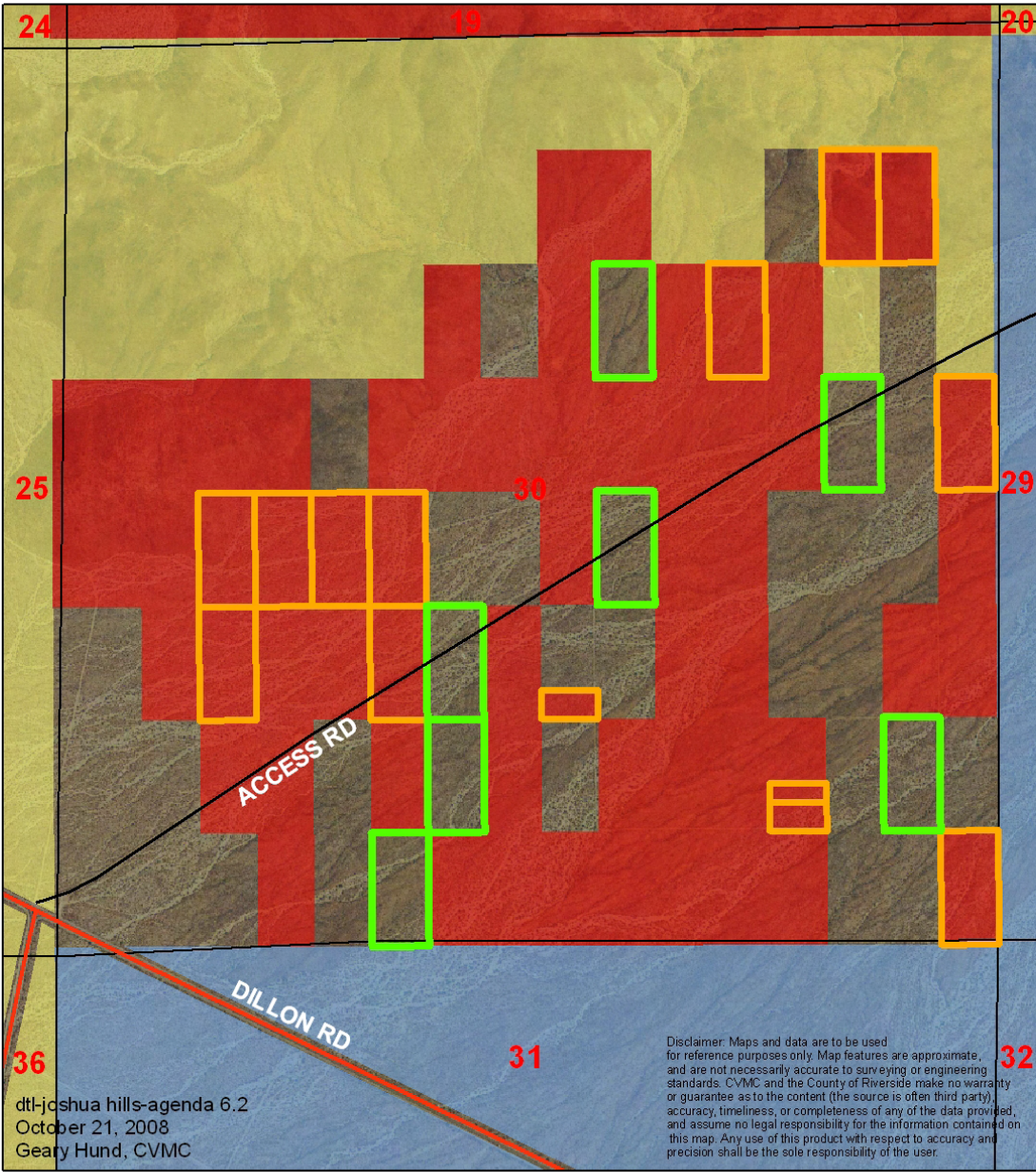
RECOMMENDATION

Staff recommends approval of the attached Resolution 2008-21 approving a local assistance grant to Friends to assist with the purchase of the approximately 35.0 acres.

Agenda Item 6.2 Map 1 – Context Map Cathton Acquisition Property Allocation-Section 30 Potential Acquisitions



Agenda Item 6.2 Map 2 – Recent and Proposed Acquisitions



0 0.25 0.5 Miles

-  Proposed Acquisition
-  Recent Acquisition
-  Bureau of Land Management
-  California State Parks
-  Friends of the Desert Mountains



**RESOLUTION 2008-21 OF THE GOVERNING BOARD OF THE
COACHELLA VALLEY MOUNTAINS CONSERVANCY
ADOPTED IN REGULAR SESSION
NOVEMBER 3, 2008**

**APPROVING A LOCAL ASSISTANCE GRANT TO THE FRIENDS OF THE
DESERT MOUNTAINS FOR THE PURCHASE OF LAND IN THE “JOSHUA
HILLS” AREA**

WHEREAS, Public Resources Code Section 33501 created the Coachella Valley Mountains Conservancy for the purpose, among other things, of acquiring and holding, in perpetual open space, mountainous lands surrounding the Coachella Valley and natural community conservation lands, upon approval of a Natural Community Conservation Plan, for the protection of natural and cultural resources and the public’s enjoyment thereof; and

WHEREAS, Public Resources Code Section 33601(e) provides that the Conservancy may “in order to further the conservancy’s purposes as set forth in Section 33501, award grants to cities, counties, resource conservation districts, or nonprofit organizations....”; and

WHEREAS, the Friends of the Desert Mountains (“Friends”) is a nonprofit organization qualified as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954, and has as its purpose the acquisition and protection of land in the Coachella Valley area; and

WHEREAS, Assessor’s Parcel Numbers 741-090-001, 741-090-016, 741-100-012, 741-110-016, 741-120-006, 741-120-011, and 741-130-005 comprising 35.0 acres in unincorporated Riverside County in the area between the Indio Hills and Joshua Tree National Park, contains important resource values including a wildlife movement corridor between Joshua Tree National Park and the Coachella Valley Fringe-toed Lizard (CVFTL) Preserve, a sand source and sand transport area for the CVFTL Preserve, and desert tortoise habitat; and

WHEREAS, it is in furtherance of the Conservancy’s purposes as established in Public Resources Code Section 33501 to protect this area; and

WHEREAS, the purchase price of the parcels is \$172,000, and closing costs are estimated at not more than \$6,000; and

WHEREAS, the Friends requests a local assistance grant to assist with the purchase of this property; and

WHEREAS, this acquisition is exempt from further CEQA review pursuant to sections 15061 (b) (3), 15313, 15316, and 15325 of the Code of Regulations, Title 14;

NOW, THEREFORE, be it resolved in regular session of the Governing Board of the Coachella Valley Mountains Conservancy that the Board approves a local assistance grant not to exceed \$178,000 to the Friends to assist with the acquisition; and

BE IT FURTHER resolved, that this grant is contingent upon the availability of a policy of title insurance to be issued to the Friends for the parcels and upon an inspection showing that there are no hazardous materials on the site; and

BE IT FURTHER resolved, that a condition of the grant is that the Friends shall enter into an Acquisition Grant Agreement with the Conservancy, which shall contain provisions requiring the following:

1. That the Friends will agree to defend, indemnify, and hold harmless the Conservancy and the State of California, its contractors, officers, directors, agents or employees against any and all claims, liability, demands, damages, debts, judgments, costs, or expenses, including reasonable attorney's fees, arising out of or in any way connected to the Grantee's actions, omissions, or other conduct relating in any way to this agreement and the Real Property, including, but not limited to, any such losses, damages, or expenses arising out of (a) loss of or damage to the Real Property, and (b) injury to or death of persons;
2. That the Friends shall execute and record a Notice of Unrecorded Grant Agreement and execute a Memorandum of Understanding with the Conservancy designed to assure that the properties acquired with the grant sum shall be protected, maintained, and managed consistent with the Conservancy's mission as defined in Public Resources Code Section 33501;
3. That the Friends must return all funds not used for the acquisition purpose described above no later than January 31, 2009, unless both parties mutually agree in writing to an extension;
4. That the Friends shall not convey title or any other interest in the properties acquired with the grant sum to any other person or entity without the express written approval of the Conservancy;
5. That upon the sale or conveyance of any interest in the property acquired with the grant sum, the Friends shall reimburse the Conservancy for the full amount of the grant sum unless the funds received from the sale or conveyance are less than the amount of the grant sum, whereupon the Friends shall provide the Conservancy with all funds obtained from the sale or conveyance less costs incurred by the Friends arising from the sale or conveyance;

6. That if the Friends ceases to exist as an organization or if the Friends materially breaches the grant agreement, title to the properties acquired with the grant sum shall automatically be conveyed to the State of California upon approval by the State Public Works Board;
7. That the Friends shall maintain accounting records of how the grant sum was spent for a period of three years and shall make such records available for inspection by the Conservancy or the Department of Finance upon request by either agency;
8. That the Conservancy shall review and approve all documents pertaining to the acquisition of the properties described above, including but not limited to title reports obtained by Friends prior to acquisition of said properties; and
9. That any unused grant funds must be returned to the Coachella Valley Mountains Conservancy, along with any accrued interest, not later than one month after the project completion date. Should interest be earned on the grant funds between their disbursement and expenditure for the purchase of the property, the interest may be applied toward the purchase price. Otherwise, any such interest must be paid to the Coachella Valley Mountains Conservancy. No revenue will be generated by Grantee from the property acquired with the grant funds.

BE IT FURTHER resolved that the Board hereby authorizes its Chairperson, or in his absence the Executive Director, to execute any and all documents necessary to effect the grant.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Coachella Valley Mountains Conservancy Governing Board, held on this 3rd day of November 2008, by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Jim Ferguson, Chairman
Coachella Valley Mountains Conservancy

ATTACHMENT 6 – November 3, 2008

Agenda Item 6.3 Resolution 2008-22 approving an extension of the Local Assistance Grant to the Friends of the Desert Mountains to assist with the acquisition of land in the Thermal Canyon area linking the Mecca Hills Wilderness and Joshua Tree National Park.

BACKGROUND

At its May 2008 meeting, the Governing Board approved a Local Assistance Grant to the Friends of the Desert Mountains for up to \$750,000 toward the acquisition of land area on both sides of Interstate 10, approximately three miles east of Coachella. [See attached map referencing Agenda Item 6.3.] Thermal Canyon emanates from Joshua Tree National Park, crosses under Interstate 10 under large bridge structures on both the east bound and west bound lanes, and continues southerly and southwesterly to form the northern boundary of the Mecca Hills Wilderness. Thermal Canyon thereby forms a significant wildlife movement corridor and habitat linkage between the Wilderness and the National Park. The project completion date for the grant acquisitions is December 31, 2008.

In response to its mailing to landowners, the Friends has so far expended (or committed for projects currently in escrow) approximately \$267,000, with which it has acquired approximately 237 acres. The Friends is currently in discussion with one landowner and plans to make a second mailing to all landowners in the project area. As the real estate market continues to deteriorate, the number of willing sellers may well increase. In order to be able to act quickly to buy parcels from any landowners who respond to the second mailing, the Friends requests an extension of the term for the existing grant to June 30, 2009. That would enable the friends to complete the second mailing and a third mailing in the spring.

RECOMMENDATION

Staff recommends approval of Resolution 2008-22 extending the project completion date for Grant 053 from December 31, 2008 to June 30, 2009.

**RESOLUTION 2008-22 OF THE GOVERNING BOARD OF THE
COACHELLA VALLEY MOUNTAINS CONSERVANCY
ADOPTED IN REGULAR SESSION
NOVEMBER 3, 2008**

**APPROVING AN AMENDMENT TO LOCAL ASSISTANCE GRANT 53 TO THE
FRIENDS OF THE DESERT MOUNTAINS
EXTENDING THE PROJECT COMPLETION DATE**

WHEREAS, Public Resources Code Section 33501 created the Coachella Valley Mountains Conservancy for the purpose, among other things, of acquiring and holding, in perpetual open space, mountainous lands surrounding the Coachella Valley and natural community conservation lands, upon approval of a Natural Community Conservation Plan, for the protection of natural and cultural resources and the public's enjoyment thereof; and

WHEREAS, Public Resources Code Section 33601(e) provides that the Conservancy may "in order to further the conservancy's purposes as set forth in Section 33501, award grants to cities, counties, resource conservation districts, or nonprofit organizations...."; and

WHEREAS, the Friends of the Desert Mountains ("Friends") is a nonprofit organization qualified as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954, and has as its purpose the acquisition and protection of land in the Coachella Valley area; and

WHEREAS, pursuant to Resolution 2008-08, approved May 12, 2008, the Acquisition Grant Agreement for Grant 053 originally set a project completion date of December 31, 2008; and;

WHEREAS, Friends has requested that the completion date be extended to June 30, 2009 to provide the opportunity to pursue additional acquisitions through more contacts with landowners; and

WHEREAS, it is in furtherance of the Conservancy's purposes as established in Public Resources Code Section 33501 for this to occur;

NOW, THEREFORE, be it resolved in regular session of the Governing Board of the Coachella Valley Mountains Conservancy that the Board approves amending the Acquisition Grant Agreement for Grant 053 to state: "The grantee shall complete acquisition of the real property no later than June 30, 2009 ("the completion date")." The amendment to the Grant Agreement is attached as Exhibit A.

BE IT FURTHER resolved that the Board hereby authorizes its Chairperson, or in his absence the Executive Director, to execute any and all documents necessary to effect the amendment grant agreement.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Coachella Valley Mountains Conservancy Governing Board, held on this 3rd day of November 2008, by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Jim Ferguson, Chairman
Coachella Valley Mountains Conservancy

Acquisition Grant Agreement No. 053 - Amendment 1

Grantee's full legal name: Friends of the Desert Mountains

Address: PO BOX 1281
Palm Desert, CA 92261-1281

Phone Number: (760) 568-9918

Name of Contact: Ted Lennon

Title of Contact: President

Taxpayer ID Number: 33-10241242

The purpose of this Amendment 1 to Grant 053 is to extend the completion date from December 31, 2008 to June 30, 2009 to allow the opportunity for the grantee to make additional landowner contacts to pursue additional acquisitions. This amendment was approved by the Conservancy Governing Board by Resolution 2008-22, which is attached as Exhibit 1.

The Acquisition Grant Agreement for Grant 053, dated May 12, 2008, is hereby amended as follows:

On page 3 of the agreement, the "COMPLETION DATE" section is revised as follows:

COMPLETION DATE

The grantee shall complete acquisition of the real property no later than ~~December 31, 2008~~ June 30, 2009 ("the completion date"). This date may be extended by written agreement of both parties. Prior to the completion date, either party may terminate this agreement for any reason by providing the other party with seven days notice in writing.

Ted Lennon, President
Friends of the Desert Mountains

Bill Havert, Executive Director
Coachella Valley Mountains Conservancy

Date: _____

Date: _____

Grant Agreement, Grant 053 Amendment 1
Exhibit 1

EXHIBIT 1

RESOLUTION APPROVING THE GRANT AMENDMENT

A copy of CVMC Resolution 2008-22 approved by the Conservancy's Governing Board at its November 3, 2008 meeting is attached.

ATTACHMENT 7 - November 3, 2008

Agenda Item 6.4 Resolution 2008-23 approving a Local Assistance Grant to the Friends of the Desert Mountains to assist with the acquisition of 25 acres in the Stubbe Canyon wash area between the San Jacinto Mountains and the San Bernardino Mountains.

BACKGROUND

The Friends of the Desert Mountains (Friends) has requested a grant not to exceed \$219,000 towards the acquisition of five 5-acre parcels in Section 6, T3S, R3E in the Stubbe Canyon area. [See attached maps referencing Item 6.4] The parcels are located in a key part of a wildlife movement corridor between the Peninsular ranges (the San Jacinto and Santa Rosa Mountains) and the Transverse ranges (San Bernardino and San Gabriel Mountains). The Governing Board has approved two previous grants for acquisitions in this area, and to date, fourteen 5-acre parcels have been acquired. Two additional parcels are under negotiation for purchase by the Friends with a grant from the Resources Legacy Fund Foundation.

In 2005, the Friends, with a combination of its funds and grants from a private foundation and the Coachella Valley Mountains Conservancy (Conservancy), purchased 731 acres (Lazar project) on both sides of Interstate 10, in the Stubbe Canyon area, as an initial step in providing permanent protection for this important area. Acquisitions in Section 6, combined with the previously acquired Lazar property, will create a continuous band of protected public land in the corridor, connecting the Santa Rosa and San Jacinto Mountains National Monument to the San Geronio Wilderness area.

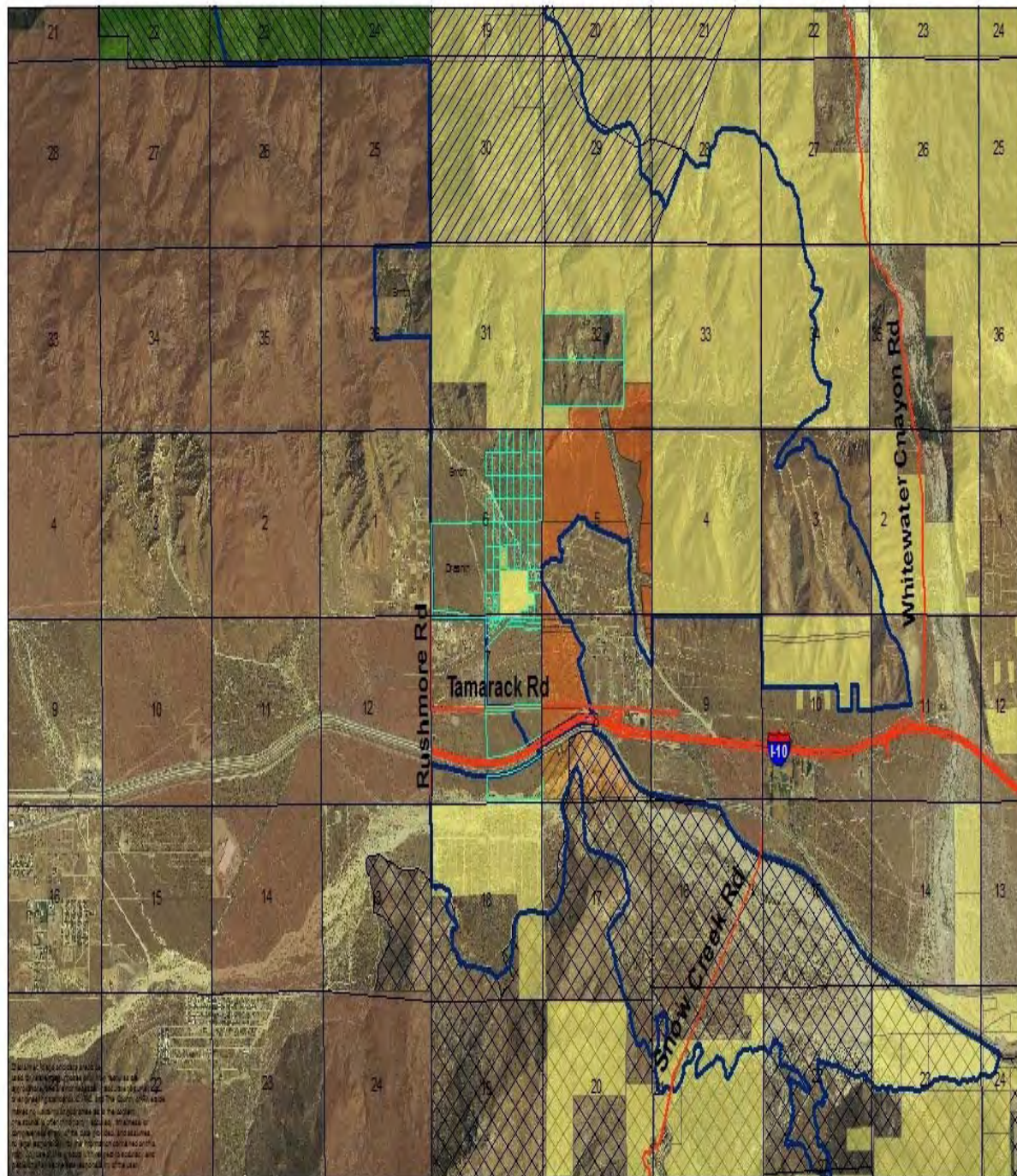
Assuming approval of the grant in the previous agenda item, the Conservancy would have \$2,227,857 available from FY 2007-08, and has an additional \$11,514,000 in Proposition 84 funds for this current fiscal year, and a re-appropriation of \$451,856 in Proposition 40 funds and \$344,666 in Proposition 12 funds.

RECOMMENDATION

Staff recommends approval of the attached Resolution 2008-23 approving a local assistance grant to the Friends to assist with the purchase of approximately 25.0 acres.

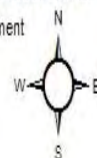
Agenda Item 6.4 Map 1: Context Map

San Jacinto-San Bernardino Mountains Missing Linkage

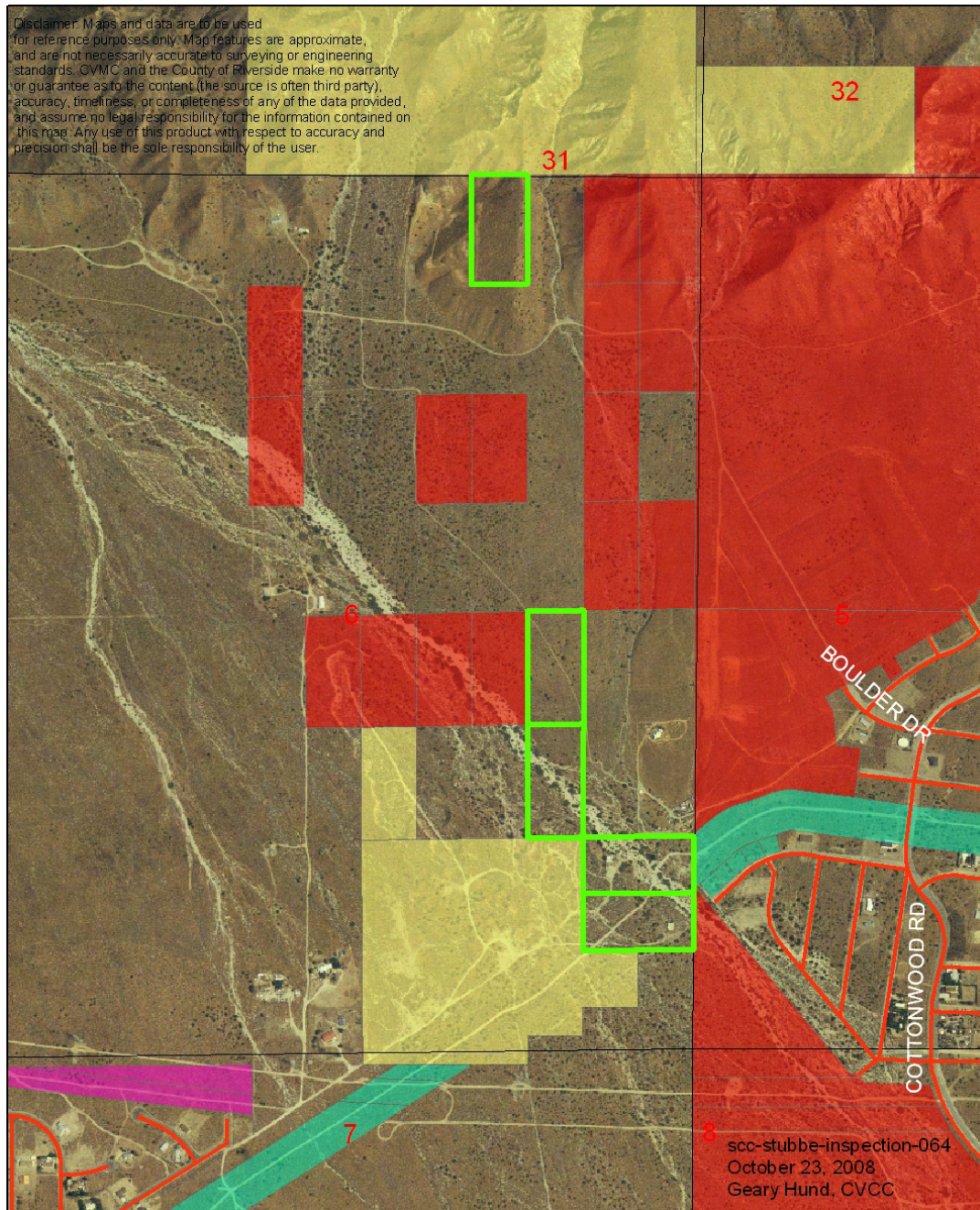


Created by Kerrie Marshall, BB BLM using Linkage files

- | | | | |
|--|-----------------------------|--------------------|--|
| San Jacinto-San Bernardino Mtn Linkage | San Geronio Wilderness Area | BLM | Santa Rosa-San Jacinto National Monument |
| Current Wildlife Linkage Offers | SGW-BLM | INDIAN RESERVATION | Lazar Property Sale-FODM to BLM |
| | SGW-USFS | USFS | FODM Lazar Property Acquisition |



Agenda Item 6.4 Map 2: Proposed Acquisitions



0 0.25 0.5 Miles



- | | | | |
|---|---------------------------------|--|-------------------------|
|  | Proposed Acquisition |  | Metropolitan Water Dist |
|  | Bureau of Land Management |  | So CA Edison |
|  | Friends of the Desert Mountains | | |



**RESOLUTION 2008-23 OF THE GOVERNING BOARD OF THE
COACHELLA VALLEY MOUNTAINS CONSERVANCY
ADOPTED IN REGULAR SESSION
NOVEMBER 3, 2008**

**APPROVING A LOCAL ASSISTANCE GRANT TO
THE FRIENDS OF THE DESERT MOUNTAINS
FOR THE PURCHASE OF LAND IN THE STUBBE CANYON AREA**

WHEREAS, Public Resources Code Section 33501 created the Coachella Valley Mountains Conservancy for the purpose, among other things, of acquiring and holding, in perpetual open space, mountainous lands surrounding the Coachella Valley and natural community conservation lands, upon approval of a Natural Community Conservation Plan, for the protection of natural and cultural resources and the public's enjoyment thereof; and

WHEREAS, Public Resources Code Section 33601(e) provides that the Conservancy may "in order to further the conservancy's purposes as set forth in Section 33501, award grants to cities, counties, resource conservation districts, or nonprofit organizations...."; and

WHEREAS, the Friends of the Desert Mountains ("Friends") is a nonprofit organization qualified as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954, and has as its purpose the acquisition and protection of land in the Coachella Valley area; and

WHEREAS, Assessor's Parcel Numbers 520-030-005, 520-060-006, 520-060-011, 520-070-003 and 520-070-004 in Section 6 T3S, R3E, comprising approximately 25.0 acres in unincorporated Riverside County north of Interstate 10 in the Stubbe Canyon area, contain important biological resource values, including a wildlife movement corridor between the San Jacinto and Santa Rosa Mountains and the San Bernardino Mountains and a fluvial sand transport area for the Snow Creek and Whitewater Floodplain Preserve areas; and

WHEREAS, it is in furtherance of the Conservancy's purposes as established in Public Resources Code Section 33501 to protect this area; and

WHEREAS, the purchase price of the parcels is \$214,000, and the closing costs are estimated not to exceed an additional \$5,000; and

WHEREAS, Friends requests a local assistance grant to assist with the purchase of this property; and

WHEREAS, this acquisition is exempt from further CEQA review pursuant to sections 15061 (b) (3), 15313, 15316, and 15325 of the Code of Regulations, Title 14;

NOW, THEREFORE, be it resolved in regular session of the Governing Board of the Coachella Valley Mountains Conservancy that the Board approves a local assistance grant of not to exceed \$219,000, to Friends to assist with the acquisition; and

BE IT FURTHER resolved, that this grant is contingent upon the availability of a policy of title insurance to be issued to Friends for the parcel and upon an inspection showing that there are no hazardous materials on the site; and

BE IT FURTHER resolved, that a condition of the grant is that Friends shall enter into an Acquisition Grant Agreement with the Conservancy, which shall contain provisions requiring the following:

1. That the Friends will agree to defend, indemnify, and hold harmless the Conservancy and the State of California, its contractors, officers, directors, agents or employees against any and all claims, liability, demands, damages, debts, judgments, costs, or expenses, including reasonable attorney's fees, arising out of or in any way connected to the Grantee's actions, omissions, or other conduct relating in any way to this agreement and the Real Property, including, but not limited to, any such losses, damages, or expenses arising out of (a) loss of or damage to the Real Property, and (b) injury to or death of persons;
2. That the Friends shall execute and record a Notice of Unrecorded Grant Agreement and execute a Memorandum of Understanding with the Conservancy designed to assure that the properties acquired with the grant sum shall be protected, maintained, and managed consistent with the Conservancy's mission as defined in Public Resources Code Section 33501;
3. That the Friends must return all funds not used for the acquisition purpose described above no later than January 31, 2009, unless both parties mutually agree in writing to an extension;
4. That the Friends shall not convey title or any other interest in the properties acquired with the grant sum to any other person or entity without the express written approval of the Conservancy;
5. That upon the sale or conveyance of any interest in the property acquired with the grant sum, the Friends shall reimburse the Conservancy for the full amount of the grant sum unless the funds received from the sale or conveyance are less than the amount of the grant sum, whereupon the Friends shall provide the Conservancy with all funds obtained from the sale or conveyance less costs incurred by the Friends arising from the sale or conveyance;
6. That if the Friends ceases to exist as an organization or if the Friends materially breaches the grant agreement, title to the properties acquired with the grant sum shall automatically be conveyed to the State of California upon approval by the State Public Works Board;

7. That the Friends shall maintain accounting records of how the grant sum was spent for a period of three years and shall make such records available for inspection by the Conservancy or the Department of Finance upon request by either agency;
8. That the Conservancy shall review and approve all documents pertaining to the acquisition of the properties described above, including but not limited to title reports obtained by Friends prior to acquisition of said properties; and
9. That any unused grant funds must be returned to the Coachella Valley Mountains Conservancy, along with any accrued interest, not later than one month after the project completion date. Should interest be earned on the grant funds between their disbursement and expenditure for the purchase of the property, the interest may be applied toward the purchase price. Otherwise, any such interest must be paid to the Coachella Valley Mountains Conservancy. No revenue will be generated by Grantee from the property acquired with the grant funds.

BE IT FURTHER resolved that the Board hereby authorizes its Chairperson, or in his absence the Executive Director, to execute any and all documents necessary to effect the grant.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Coachella Valley Mountains Conservancy Governing Board, held on this 3rd day of November 2008, by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Jim Ferguson, Chairman
Coachella Valley Mountains Conservancy

ATTACHMENT 7 – November 3, 2008

Agenda Item 7.0 Adoption of Meeting schedule for 2009.

The proposed meeting schedule for 2009 is:

January 12

March 9

May 11

July 13

September 14

November 9

RECOMMENDATION

Staff recommends approval of the proposed meeting schedule for 2009.

ATTACHMENT 8 - November 3, 2008

Agenda Item 8.1 Written Reports from Staff

Acquisitions and Funding

Escrow will close on the 80-acre Phase 4 of the Jacques property acquisition adjacent to the Edom Hill Area of Critical Environmental Concern in late October. This is the final phase of the acquisition of a 560 acre property by the Center for Natural Lands Management with grant assistance from CVMC and WCB.

USFWS received an additional federal Section 6 grant for the acquisition of Peninsular bighorn sheep habitat, with the total grant amount for this year being \$1,500,000. The funds will go to the Wildlife Conservation Board and require a match of \$642,858. Conservancy staff has also been assisting USFWS and CDFG with preparation of Section 6 grant applications for the current fiscal year totaling \$7.4 million dollars in federal funds, with a minimum of 30% matching funds from non-federal sources, including CVMC and WCB. The grants would provide funds for Peninsular bighorn sheep habitat acquisition, desert tortoise habitat acquisition, and habitat for various species to assist with implementation of the MSHCP.

Trails Planning Update

Associate Director, Geary Hund continues to work on the conceptual trails plan for the northern Coachella Valley on behalf of the Friends of the Desert Mountains (Friends). Among other things he is employing 3-D imagery to help determine proposed trail alignments. The report will contain detailed maps and information about potential trail routes and trailheads and recommendations for possible improvements to existing facilities. The County of Riverside is currently updating the non-motorized trails portion of the circulation element of the General Plan. Geary is working with staff at the Coachella Valley Association of Governments to set up a meeting to give them input on the northern Coachella Valley.

The Conservancy is entering into a new contract with the Friends to oversee the construction of the new trail between the Willis Palms and Moon Country areas of the Coachella Valley Fringe-toed Lizard Preserve; Moon Country is west of the Visitor Center. Construction is expected to begin in the next two to three weeks. Under the contract, Conservancy staff will also provide consulting services related to the planning and construction of a new trailhead to provide access to trails the Santa Rosa and San Jacinto Mountains National Monument from the Palm Springs area.

CVAG OHV taskforce

The CVAG OHV Task Force meetings were held on June 24 & September 24, 2008.

Sgt. Paul Herrera from Cathedral City provided information on upcoming scheduled deployments for the Painted Canyon, Iron Door, Blend Canyon and Windy point areas. He noted that the Palm Springs Police Department does not have sufficient staff to assign to the OHV Cooperative Task Force so they have asked for the Palm Springs Aero Squadron

(PSAS) to assist the Task Force. The PSAS consists of retired professional pilots and an airplane owned by the city. Members of the PSAS were present at the June meeting and expressed a willingness to assist with the OHV regional effort by providing overhead surveillance and fly-bys. They only request reimbursement for the cost of the airplane fuel and the OHV Task Force agreed.

Representatives from County Code Enforcement (CCE) attended the June meeting and discussed their code enforcement responsibilities relative to OHV issues. They expressed a willingness to assist the OHV Task Force since the primary responsibility of the CCE team with enforcement of code law and noted that their schedules are very flexible. The CCE will not request reimbursement from the OHV fund and the Task Force agreed that they would only ask for assistance from the CCE on an as needed basis. Contact information was gathered and the CCE will be added to the CVAG OHV Task Force agency listing.

Brian Nestande, 4th District Appointee, to the County's OHV Commission was not present at the June or September meeting. However, he did pass on the following update: The County OHV Commission will continue for 2 additional years and they have provided recommendations to the Board of Supervisors for designated OHV riding park sites. The two highest priority sites are Prado Dam/Jack Rabbit Trail for the Western County and the Drop 31 site in the Eastern County.

Sgt. Herrera is drafting a presentation for the Public Safety Committee.

The Task Force discussed signage requirements and equipment needs for the Task Force. Aurora is preparing a list of target areas that should have posted signs. The Task Force has \$40K remaining from the FY 2007 Colmac Grant and is currently obtaining bids for the manufacture and installation of signs. Staff inquired with the County and determined that the FY 2007 funds are permitted to be spent in FY 2008. Aurora also requested that the Task Force continue to submit invoices for maintenance on their equipment.

The next OHV Meeting is scheduled for October 21, 2008 @ 10:00 A.M. in CVAG Suite 200.